

RESOLUTION GRANTING SUBDIVISION APPROVAL

Covington Estates Minor Subdivision

PB # 08-11

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a subdivision plat by RRMGNWH, LLC (the "applicant") for a project described as the "Covington Estates Minor Subdivision";

WHEREAS, the subject site consists of 22.6 acres of land, located at 250 Temple Hill Road and comprised of one tax map parcel in the Town of New Windsor, and designated on the tax map as Section 65, Block 1, and Lot 1.12; and

WHEREAS, the action involves a request for a two (2) lot subdivision approval from the Town of New Windsor; and

WHEREAS, the applicant has submitted a fully executed short form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted an uncoordinated SEQRA review for this project; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed subdivision layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, the Planning Board waived the discretionary public hearing on August 13, 2008, pursuant to the Board's authority regarding minor subdivisions such as this application under Town of New Windsor Subdivision Law § 257-13(A); and

WHEREAS, the application and related materials were referred to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on August 13, 2008, recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the Planning Board, acting as Lead Agency, has previously determined that the Proposed Action minimizes or avoids significant environmental impacts and has previously adopted a negative declaration; and

WHEREAS, the applicant has submitted a proposed subdivision plat prepared by Engineering Properties, PC, consisting of 1 sheet, dated June 23, 2008, with no revisions; and

NOW, THEREFORE, the Planning Board hereby grants preliminary and conditional final subdivision approval to the Applicant. The Final subdivision plat shall not be signed by the Chairman until the Applicant has complied with the following conditions:

1. The applicant shall pay all outstanding fees due the Town in connection with this application;
2. The applicant shall make any required revisions to the subdivision plat to the satisfaction of the Planning Board Engineer and Planning Board Attorney;
3. The applicant shall secure all necessary permits, approvals and authorizations required from any other agency, if required;
4. The applicant shall submit a draft declaration of restrictions containing the restrictive notes shown on the proposed final subdivision plat for review and approval by the Planning Board Attorney. Following the Planning Board Attorney's approval, the applicant shall record the declaration of restrictions in the Orange County Clerk's Office and provide proof of same to the Planning Board Attorney; and
5. The applicant shall submit proof of satisfaction of the foregoing conditions and submit a plat for signature within 360 days of the date of this resolution. The Planning Board hereby grants the two (2) ninety (90) day extensions as authorized by Town Law § 276(7)(c). This approval will expire on September 7, 2009, and no further extensions can be granted.

Upon motion made by Member _____, seconded by Member _____, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	Aye	Nay	Abstain	Absent
Member, Howard Brown	Aye	Nay	Abstain	Absent
Member, Neil Schlesinger	Aye	Nay	Abstain	Absent
Member, Henry Vanleeuwen	Aye	Nay	Abstain	Absent
Chairman, Genaro Argenio	Aye	Nay	Abstain	Absent

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Alternate, Henry Schieble	Aye	Nay	Abstain	Absent
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Dated: September 10, 2008
New Windsor, New York

Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this _____ day
of September, 2008.

Deborah Green
Town Clerk

**RESOLUTION ADOPTING A NEGATIVE DECLARATION
FOR A SUBDIVISION APPLICATION**

*Covington Estates Minor Subdivision
PB # 08-11*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a subdivision plat by RRMGNWH, LLC (the "applicant") for a project described as the "Covington Estates Minor Subdivision";

WHEREAS, the subject site consists of 22.6 acres of land, located at 250 Temple Hill Road and comprised of one tax map parcel in the Town of New Windsor, and designated on the tax map as Section 65, Block 1, and Lot 1.12; and

WHEREAS, the action involves a request for a two (2) lot subdivision approval from the Town of New Windsor; and

WHEREAS, the applicant has submitted a fully executed short form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted an uncoordinated SEQRA review for this project; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed subdivision plat, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, the Planning Board waived the discretionary public hearing on August 13, 2008, pursuant to the Board's authority regarding minor subdivisions such as this application under Town of New Windsor Subdivision Law § 257-13(A); and

WHEREAS, the application and related materials were referred to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on August 13, 2008, recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed subdivision plat prepared by Engineering Properties, PC, consisting of 1 sheet, dated June 23, 2008, with no revisions; and

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of the subdivision.

NOW, THEREFORE, be it resolved as follows:

1. The Planning Board is lead agency for an uncoordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

Upon motion made by Member _____, seconded by Member _____, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	Aye	Nay	Abstain	Absent
Member, Howard Brown	Aye	Nay	Abstain	Absent
Member, Neil Schlesinger	Aye	Nay	Abstain	Absent
Member, Henry Vanleeuwen	Aye	Nay	Abstain	Absent
Chairman, Genaro Argenio	Aye	Nay	Abstain	Absent

- - -

Alternate, Henry Schieble

Aye Nay Abstain Absent

Dated: September 10, 2008
 New Windsor, New York

Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this _____ day
of September, 2008.

Deborah Green
Town Clerk

**TOWN OF NEW WINDSOR PLANNING BOARD
COUNTY OF ORANGE**

NEGATIVE DECLARATION

*Covington Estates Minor Subdivision
PB #08-11
(SBL 65-1-1.12)*

PLEASE TAKE NOTICE that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617, the Town of New Windsor Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, for an uncoordinated review of this Unlisted Action.

Name of Project: Covington Estate Minor Subdivision
Action Type: Unlisted Action; Uncoordinated Review
Location: Town of New Windsor, County of Orange
Location: 250 Temple Hill Road
Zoning District: R-5
Tax Map Parcel: 65-1-1.12

Summary of Action:

The action involves a request for a subdivision of 22.6 acres, resulting in the addition of one lot for two parcels located in the R-5 District in the Town of New Windsor. The subdivision will allow for the formation of two condo associations as parts of the overall condo association for the entire project.

Reasons Supporting the Negative Declaration:

Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting the subdivision.

The proposed subdivision is considered to comply with all existing zoning requirements and municipal plans for the Town of New Windsor, and is consistent with the community character. Neither solid waste generation, energy consumption, nor public service demands would be significant or excessive for the lots within this subdivision. The project sponsor has developed a stormwater pollution plan that will address all new stormwater impacts and will also alleviate existing conditions. No other potentially significant harmful environmental impacts are identified.

Date of Adoption of Negative Declaration: September 10, 2008
Agency Address: Town of New Windsor Planning Board
Town Hall – 555 Union Avenue
New Windsor, New York 12553
Tel. (845) 563-4615
Contact Person: Genaro Argenio, Planning Board Chairman

WHEREAS, the applicant has submitted a proposed subdivision plat prepared by Engineering Properties, PC, consisting of 1 sheet, dated June 23, 2008, with no revisions; and

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of the subdivision.

NOW, THEREFORE, be it resolved as follows:

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2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
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Alternate, Henry Schieble

Aye Nay Abstain Absent

Dated: September 10, 2008
 New Windsor, New York

Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this _____ day
of September, 2008.

Deborah Green
Town Clerk

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Chairman, Genaro Argenio	Aye	Nay	Abstain	Absent

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Alternate, Henry Schieble	Aye	Nay	Abstain	Absent
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Dated: September 10, 2008
New Windsor, New York

Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this _____ day
of September, 2008.

Deborah Green
Town Clerk